

REMARKS

Entry of the foregoing, reexamination and further and favorable reconsideration of the subject application in light of the following remarks, pursuant to and consistent with 37 C.F.R. § 1.112, are respectfully requested.

The Office Action Summary correctly indicates that claims 11-15 are pending in the application. Claims 11-15 are under consideration and stand rejected.

Claims 12-15 have been amended to correct an error in the dependency thereof. Claims 12-15 have been amended to depend from claim 11 as intended, rather than the canceled claim 1.

No prohibited new matter has been introduced by way of the above amendments. Applicants reserve the right to file a continuation or divisional application on subject matter canceled by way of this Amendment.

Objections

Claims 12-15 stand objected to for depending upon the canceled claim 1. Claims 12-15 have been amended to correct the error so that claims 12-15 properly depend from claim 11. The Office Action indicates that claims 12-15 were examined on the merits as depending on claim 11 as intended. Withdrawal of the objecting in view of the amendments is requested.

Rejections under 35 U.S.C. § 102

Claims 11-15 stand rejected under 35 U.S.C. § 102e as allegedly anticipated by U.S. Patent Application Publication 2007/0034016 ("Maginnis"). The rejection is traversed. Maginnis is not prior art to the present application. The earliest potential effective date of

Maginnis is the filing date of U.S. Patent Application 60/707,574 on August 12, 2005 to which Maginnis claims priority. This date is later than the effective filing date of the present application, which is the national stage of PCT/JP2004/019707, filed December 22, 2004. 35 U.S.C. § 363. For at least this reason, the rejection should be withdrawn.

CONCLUSION

In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited.

In the event that there are any questions relating to this application, it would be appreciated if the Examiner would telephone the undersigned concerning such questions so that prosecution of this application may be expedited.

The Director is hereby authorized to charge any appropriate fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

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